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January 24, 2023

VIA ECF

Hon. Jennifer Rochon
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Langhamer, et al vs. Johnson, et al
Docket No. 22-cv-05404

Dear Judge Rochon:

This law firm represents the defendants in the above-referenced matter. We are writing to request that the Court adjourn the Preliminary Conference scheduled herein for February 1, 2023. Plaintiff joins in the request.

Presently pending before the Court is the Defendants' motion to dismiss the complaint. While the motion provides a number of grounds for dismissal, including the statute of limitations, and a general release by three of the Plaintiffs, the motion is also based on the failure of the Plaintiffs to properly plead securities fraud, as required by Rule 9 of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995, 15 U.S. Code § 78u-4, et. seq. ("PSLRA").

Pursuant to the PSLRA, "all discovery and other proceedings" are stayed during the pendency of a motion to dismiss. Therefore, until the Court rules on the motion, it will be difficult to present a discovery schedule for the Court's review and consideration or address the other provisions of a case management order at a preliminary conference.

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Accordingly, the parties respectfully request that the preliminary conference and submission of a case management order be adjourned until such time as the pending motion to dismiss is decided.

There have been no prior adjournment requests for this conference.

Very truly yours,



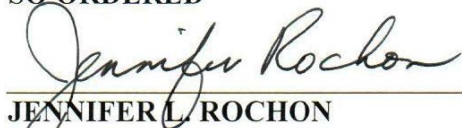
Mark J. Astarita

Cc: Jeffrey Haber, Esq. (By ECF)

The request is GRANTED. The **February 1, 2023** Conference is adjourned.

Dated: January 25, 2023
New York, New York

SO ORDERED



JENNIFER L. ROCHON
United States District Judge